

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF THE U.S. VIRGIN ISLANDS
ST. CROIX DIVISION

James M. McNamara,

Plaintiff,

v.

Hess Corp. & Hess Oil New York Corp.,

Defendants

Civil Action No. 1:20-cv-00060

Jury Trial Demanded

**PLAINTIFF'S NOTICE OF WITHDRAWAL OF HIS MOTION TO REMAND THE
ACTION TO THE SUPERIOR COURT OF THE VIRGIN ISLANDS ON THE BASIS
THAT HONYC WAS COLLUSIVELY JOINED TO MANUFACTURE DIVERSTY**

Plaintiff hereby withdraws his motion to remand this action to the Superior Court of the Virgin Islands as this Court lacks subject matter jurisdiction on the basis that Hess Oil New York Corp. ("HONYC") is a legal sham to manufacture federal diversity jurisdiction.

The parties have agreed to engage in discovery regarding HONYC's citizenship. Plaintiff has propounded written discovery request regarding HONYC's formation and the merger of Hess Oil Virgin Island Corp. ("HOVIC") with and into HONYC, and he anticipates deposing one or more persons about those transactions. Plaintiff will file a renewed motion to remand once this discovery is completed if warranted.

WHEREFORE, Plaintiff prays his motion to remand be denied as moot without prejudice to refiling the motion after jurisdictional discovery is completed.

DATED: June 9, 2021

Respectfully submitted,

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Counsel to Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of June, 2021, a copy of the foregoing was served via email on all counsel of record via CM/ECF.

/s/ C. Jacob Gower
C. Jacob Gower, Esq.